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JUN 2 4 1993

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June 24, 199 FEDERAL COMMUNICATIONS COMMISSION FAX: (202) 686-8282 OFFICE OF THE SECRETARY

Ms. Donna R. Searcy Secretary Federal Communications Commission 1919 M Street, NW, Room 222 Washington, D.C. 20554

> Erratum to Petition for/Reconsideration and Clarification of Encore Media Corporation MM Docket No. 92-266

Dear Ms. Searcy:

Attached are an original and nine copies of the abovereferenced Erratum.

Should you have any questions regarding this matter, please contact the undersigned counsel.

Very truly yours,

James E. Meyers

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**BEFORE THE** 

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## **Federal Communications Commission**

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992 Rate Regulation

MM Docket No. 92-266

To: The Commission

## ERRATUM TO PETITION FOR RECONSIDERATION AND CLARIFICATION OF ENCORE MEDIA CORPORATION

Encore Media Corporation ("Encore") by its attorneys submits the following Erratum to correct an error in Encore's Petition for Reconsideration and Clarification filed on June 21, 1993. On page five, paragraph one:

#### Delete the following:

Resultingly, more expensive PERCH Rate CPS tiers which generally are subscribed with less penetration than lower PERCH Rate tiers are weighted less in deriving the average PERCH Rate for the whole system. By this method the Commission equitably allows operators to account for more expensive programming. However, after the operator uses this benchmark rate to determine his PERCH Rate, . . .

#### Insert the following in place of the deleted text:

Resultingly, tiers with more expensive per channel rates, and generally lower subscriber penetration than tiers with less expensive per channel rates, are weighted less in deriving the average PERCH Rate for the whole system. By this method the Commission equitably recognizes weighted averaging in PERCH Rate calculations. However, after the operator determines his PERCH Rate, . . .

Respectfully submitted,

ENCORE MEDIA CORPORATION

By: Yvonne R. Bennett by JEKe

Director of Business Affairs

and General Counsel

Bv:

James E. Meyers

Its Attorney

Baraff, Koerner, Olender & Hochberg, P.C. 5335 Wisconsin Avenue, NW, Suite 300 Washington, D.C. 20015 202/686-3200

June 24, 1993